

In re SUNCOAST TOWERS EAST ASSOCIATES, a Florida general partnership, Debtor

No. 98-41673-BKC-AJC

(Cite as: 241 B.R. 476)

Successful bidder at auction for debtor's condominium unit and commercial space moved to rescind the contract to purchase the property pursuant to Florida law. The Court held that the amendment to declaration of condominium: (1) did not change the declaration of condominium with respect to the use of the sale property; but (2) did "materially" and "adversely" impacted the sale property because it increased the costs associated therewith by including a provision that allowed the Association to separately meter the utilities used in connection with the Commercial Units.